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November 16, 2007

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

RE: Amendment of Parts 1, 21, 73, 74, and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Education and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands, WT Docket No. 03-66; Forty-One Late-Filed Applications for Renewal of Educational Broadband Service Stations, Memorandum Opinion and Order, DA 07-205, File No. 0002525897 et al.

Dear Ms. Dortch:

Illinois Institute of Technology (IIT) supports the request for clarification filed by a broad cross-section of parties representing both educational licensees and commercial operators in the 2.5 GHz band.¹ IIT urges the Commission to expeditiously issue the requested clarification regarding the formation of Educational Broadband Service (EBS) geographic service areas (GSAs).

IIT holds the authorization for EBS station WBM648 and station WHG269, which operate on the E and G Channel Groups, respectively, in Chicago, Illinois. IIT, which has over 6,000 students, was founded to advance knowledge through research and scholarship, to cultivate invention improving the human condition, and to educate students for a life of professional achievement, service to society, and individual fulfillment. Our EBS station is an important part of IIT's educational mission.

¹ Notice of Written Ex Parte Communication of the Catholic Television Network, the National ITFS Association, The Wireless Communications Association International, Inc., Clearwire Corporation, NextWave Wireless, Inc., Sprint Nextel Corporation, and Xanadoo, LLC, File Nos. 000252897, *et al.* (Sept. 28, 2007) ("Joint Commenters' Letter").

On September 28, 2007, the Catholic Television Network, the National ITFS Association, The Wireless Communications Association International, Inc., Clearwire Corporation, NextWave Wireless, Inc., Sprint Nextel Corporation, and Xanadoo, LLC (the Joint Commenters) filed a request for clarification with the FCC.² In their September 28th letter, the Joint Commenters requested that the Commission clarify that no EBS station will have its GSA reduced by a late-filed renewal application involving an EBS license that expired before January 10, 2005 unless the application has been granted *nunc pro tunc* as of the date of the Joint Commenters' Letter or in cases of manifest Commission error.

IIT supports the Joint Commenters' Letter. We believe that this clarification, proposed by the leading representatives of 2.5 GHz licensees, will lead to an equitable resolution regarding the uncertainty about GSA formation that has been created in the various pending proceedings concerning late-filed renewal applications. The proposed clarification will facilitate the transition of the 2.5 GHz spectrum to the new band plan. As the Joint Commenters explained in their letter, "certainty surrounding GSA boundaries *is imperative* to enable EBS licensees, lessees, and operators to clearly identify their authorized service areas to facilitate the rapid deployment and operation of new broadband networks."³ Resolution of this issue, as clarified by the Joint Commenters, would also allow the FCC to more easily address the pending late-filed renewal applications, and future renewal applications, on a case-by-case basis based on the Commission's rules.

IIT urges the Commission to adopt the proposed clarification as soon as possible.

Respectfully submitted,

ILLINOIS INSTITUTE OF TECHNOLOGY

/s/ Ophir

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² *Id.*

³ *Id.* at 2.

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